

28 MAY 2004



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In re Application of
Guo et al.
Application No.: 10/019,381 : DECISION ON
PCT No.: PCT/CN00/00299 :
Int. Filing Date: 30 September 2000 : PETITION
Attorney's Docket No.: 42390.P9268 :
For: METHOD AND SYSTEM TO SCALE DOWN : UNDER 37 CFR 1.47(a)
A DECISION TREE-BASED HIDDEN MARKOV
MODEL (HMM) FOR SPEECH RECOGNITION :

This is a decision in response to the "RESPONSE TO DECISION ON PETITION UNDER 37 C.F.R. § 1.47(b)" filed on 08 September 2003 to accept the application without the signature of inventor Qing Guo. This petition is being treated as a petition under 37 C.F.R. § 1.47(a).

BACKGROUND

On 30 September 2000, applicant filed international application PCT/CN00/00299. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 11 April 2002. Accordingly, the thirty-month period for paying the basic national fee for the national stage in the United States expired at midnight on 30 March 2003.

On 27 December 2001, applicant filed a letter for entry into the national stage in the United States which was accompanied by a copy of the international application and the basic national fee of \$1040 as required by 35 U.S.C. 371(c). These papers were assigned application number 10/019,381.

On 04 June 2002, the United States Patent and Trademark mailed the "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form

PCT/DO/EO/905) indicating that applicant was required to file an oath/declaration and a surcharge fee. The notification set a two-month time period in which to respond.

On 04 December 2002, applicant filed a "Petition Under 37 CFR 1.47(b) to Accept Application Without Inventor's Signature."

On 30 May 2003, a decision was mailed to applicant that indicated that applicant had not provided the non-signing inventors with a copy of the application.

On 08 September 2003, applicant filed the current response which included a declaration signed statement by Mr. James H. Salter, a statement of inventor Qing Guo's last known address, and declarations signed by inventors Yonghong Yan and Baosheng Yuan. In this response, applicant indicated that these papers were originally filed with the USPTO on 17 April 2003.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing inventor.

With respect to item (1), the petition fee was paid in the earlier filed petition. With respect to item (2), applicant mailed a copy of the application papers to the last known address of inventor Qing Guo, and it was returned as undeliverable. Further, an effort was made to locate a different address through Intel, but no further address had been left by the inventor. With respect to item (3), applicants provided the statement of the last known address of the missing inventor. With respect to item (4), applicant has provided declarations signed by inventors Yonghong Yan and Baosheng Yuan.

CONCLUSION

The petition under 37 CFR 1.47(b) is **GRANTED**.

The Application Division and the International Division are authorized to accept the application as a 37 CFR 1.47(a) application and to mail a filing receipt. The application will be given an international filing date of 30 September 2000 under 35 U.S.C. 363, and a date of 17 April 2003 under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

The application is being returned to the International Division for processing as the U.S. National Stage of the above-identified international application.



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Qing Guo
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In re Application of: Guo, et al.

Application No.: 10/019,381

PCT No.: PCT/CA01/01318

Int. Filing Date: 30 September 2000

Attorney's Docket No.: 42390.P9268

For: METOD AND SYSTEM TO SCALE DOWN A DECISION TREE-BASED
HIDDEN MARKOV MODEL (HMM) FOR SPEECH RECOGNITION

Dear Mr. Guo:

You are named as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

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OFFICIAL GAZETTE NOTICE

37 CFR 1.47 Notice by Publication

Notice is hereby given of the filing of an application with a petition under 37 CFR 1.47 requesting acceptance of the application without the signature of all inventors. The petition has been granted. A notice has been sent to the last known address of the non-signing inventor. The inventor whose signature is missing (Qing Guo) may join in the application by promptly filing an appropriate oath or Declaration complying with 37 CFR 1.63. The international application number is PCT/CN00/00299 and was filed on 30 September 2000 in the names of Qing Guo, Yonghong Yan and Baosheng Yuan for the invention entitled METOD AND SYSTEM TO SCALE DOWN A DECISION TREE-BASED HIDDEN MARKOV MODEL (HMM) FOR SPEECH RECOGNITION. The national stage application number is 10/019,381 and has a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 17 April 2003.